



Pillsbury
Winthrop
Shaw
Pittman^{LLP}

Financial Centre
895 East Main Street
P. O. Box 6780
Stamford, CT 06904-6780
Tel 203.348.2300 | Fax 203.965.8226
www.pillsburylaw.com

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Date: April 8, 2005
To: Group Art Unit: 1616
Company: U.S. Patent and Trademark Office

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From: Hans-Peter G. Hoffmann Phone No: (203) 348-2300
User No: 15504 C/M No: BMS-PH-70048(A)(C)-210830-0307270

Comments:

Re: U.S. Patent Application No. 10/734,031

Please acknowledge safe receipt of this facsimile.

Sincerely,

Hans-Peter G. Hoffmann
Reg. No. 37,352
Patent Agent
Pillsbury Winthrop LLP
Customer No. 00909
Tel: 203-965-8271
Facsimile: 203-965-8226
e-mail: peter.hoffmann@pillsburylaw.com

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PTO/SB/17 (12-04/2)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/734,031
TOTAL AMOUNT OF PAYMENT (\$) 120.00		Filing Date	December 11, 2003
		First Named Inventor	ROBERT ZACZEK
		Examiner Name	DAMERON LEVEST JONES
		Art Unit	1616
		Attorney Docket No.	BMS-PH-7048-A(C)

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = x =
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = x =
 HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

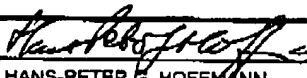
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Description	Fee (\$)	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): <u>One month extension of time</u>		
		120.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	37,352
Name (Print/Type)	HANS-PETER G. HOFFMANN	Telephone	203-965-8271
		Date	APRIL 8, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	ZACZEK <i>et al.</i>	GROUP ART UNIT:	1616
APPLICATION SERIAL NO.:	10/734,031	EXAMINER:	JONES, DAMERON Tel.: 703-308-4640
FILING DATE:	December 11, 2003	ATTORNEY DOCKET NO.:	PH-7048A (C)
TITLE OF APPLICATION:	USE OF SMALL MOLECULE RADIOLIGANDS TO DISCOVER INHIBITORS OF AMYLOID-BETA PEPTIDE PRODUCTION AND FOR DIAGNOSTIC IMAGING		

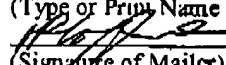
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Date: April 8, 2005

Hans-Peter G. Hoffmann

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450)

**RESPONSE TO RESTRICTION REQUIREMENT MAILED FEBRUARY 8, 2005 AND
PRELIMINARY AMENDMENT**

Sir:

This communication is submitted in response to the communication from the United States Patent and Trademark Office of the above-identified patent application. Applicant elects prosecution of Group V, claims 1-18.

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Location of Specified Sections for Scanning

<u>SECTIONS OF DOCUMENT</u>	<u>LOCATION OF SECTION</u>
I. INTRODUCTORY COMMENTS	Pages 1 – 3
II. AMENDMENTS TO THE CLAIMS	Pages 4 – 21
III. AMENDMENTS TO THE SPECIFICATION	Page 22
AMENDMENTS TO THE DRAWINGS	N/A
IV. REMARKS	Pages 23-24
APPENDIX	N/A

- **Request for Entrance of Response**

Applicants respectfully request that the following amendments be entered, and the remarks set forth below be considered, as responsive to the pending office action in this case, bearing the mailing date of February 8, 2005 ("Restriction Requirement").

- **Requests for Extension/ Fees Due**

The response to the restriction requirement of February 8, 2005 is originally due March 8, 2005. Applicant therefore requests a one-month extension of time up to and including April 8, 2005.. The Commissioner is hereby authorized to charge any fees due in connection with this paper to Deposit Account 03-3975.

- **Format of this Response**

This response is submitted in compliance with the revised format for making amendments to the specification, claims and drawings officially adopted by the USPTO on July 30, 2003, and which is now reflected in 37 C.F.R. §1.121.

If a substitute specification is submitted herein, a clean form and marked-up version are included. Amendments to drawings, if any, are submitted in compliance with 37 C.F.R. §1.84 on replacement sheets as an attachment to this document (with an accompanying detailed

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explanation of all of the changes with respect to the drawings made in the remarks section of this amendment).

AMENDMENT TO THE CLAIMS

The pending claims 1-77 have been amended prior to examination on the merits. Claims 1, 6, 13, 14, 17, 18, 20-22, 36-44, 42-49, 54-59, 65, 70, and 77. Claims 11, 12, 19, 23-35, 50-53, and 66-69 have been cancelled without prejudice.

▪ **Format of Claim Amendments**

Applicant has amended the claims as indicated below. Pursuant to the revised format to 37 C.F.R. 1.121 adopted by the USPTO in July of 2003, Applicant herein submits only one version of the claims with markings to show changes. A detailed listing of all claims that are, or were in the application, is presented.

▪ **Statement with Respect to Scope of Amended and Non-Amended Claims**

Amendments to, cancellation of, and additions to, the claims are made in order to streamline prosecution of the case to embodiments that are presently anticipated to be of commercial significance, and are not made for a purpose of patentability. Any amendment, cancellation or addition made herein should not be construed in any manner as indicating Applicant's surrender of any subject matter of the application, or surrender of any equivalent to any element asserted in one or more claims. Applicant does not concede that the scope of the claims set forth below fail to extend as far as the original claims. Furthermore, any narrowing which may be evinced with respect to subject matter covered by the claims as a whole, or by one or more claims of the appended claims, when compared to claims previously in the application, should not be interpreted as indicating that Applicant has generally disclaimed the territory between the original claimed subject matter and the amended claimed subject matter. Applicant intends each term of the claims set forth below to be read with respect to the full-breadth of the language of the claims and not to be confined to a strict literal read of amended terms. Amended claims elements are to be construed to include substantial equivalents known to those of ordinary skill in the art. Applicant asserts that the amendments are made without prejudice and reserve all rights to prosecute any canceled claims, and claims preceding any amendment, and other

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disclosed (but not presently claimed) embodiments in the application, in future continuation applications, divisional applications, continuation-in-part applications, continuing prosecution applications, requests for continuing examination, re-examination applications and any other application claiming priority from or through the present application.

**COMPLETE LIST OF CLAIMS THAT ARE OR HAVE BEEN BEFORE THE
OFFICE AFTER ENTRANCE OF THE AMENDMENTS MADE HEREIN**